

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,  
Austin, Texas, September 14, 1932.  
Hon. Fred H. Minor, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 81, A bill to be entitled "An Act providing that navigation districts organized under the provisions of Section 59 of Article 16 of the Constitution and of Chapter 5 of the General Laws passed by the Thirty-ninth Legislature at its Regular Session, and acts amendatory thereof or created, and organized, existing or doing business under a local or special law, and which have voted bonds but have not issued or otherwise finally disposed of same, and all navigation districts which may hereafter be organized hereunder are made self-liquidating in character and self-supporting and may return the construction cost thereof by means of tolls, rents, fees, assessments or other charges or by mortgaging their physical properties; providing for the method and manner of organization of each district, and establishing their boundaries, etc., and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,  
Austin, Texas, September 14, 1932.  
Hon. Fred H. Minor, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 61, A bill to be entitled "An Act amending Article 2676 of the Revised Civil Statutes of Texas, 1925, relative to the election of county school trustees by providing that one of said trustees shall be elected from the county at large by the qualified voters of the common and consolidated independent school districts of the county; providing that the terms of this act shall apply to all counties having not less than ten thousand two hundred and sixty-two (10,262) and not more than ten thousand three hundred and forty-nine (10,349) inhabitants by the last

preceding Federal census, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

#### REPORT OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,  
Austin, Texas, September 14, 1932.  
Hon. Fred H. Minor, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 62, "An Act providing for relief of Needville Independent School District of Fort Bend county in order to aid the school district in rebuilding and repairing its school destroyed by the hurricane which covered the territory in which this district is located on August 13, 1932; making an appropriation to said district for said purposes, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

#### NINTH DAY.

(Continued.)

(Thursday, September 15, 1932.)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Minor.

LEAVE OF ABSENCE GRANTED.

(By Unanimous Consent.)

Mr. Reader was granted leave of absence for today and tomorrow, on motion of Mr. Anderson.

BILL LAID ON TABLE SUBJECT  
TO CALL.

On motion of Mr. Patterson, House bill No. 77 was laid on the table subject to call.

#### SPECIAL ORDER SET.

Mr. Petsch moved that House bill No. 84 be set as a special order for 3:30 o'clock p. m. today.

The motion prevailed.

#### BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due

notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 9, "An Act to amend Sections 20, 27, 38, 44, 47 and 48, and to add a new section thereto to be known as Section 21a of an act providing for the reorganization of building and loan associations, and declaring an emergency."

H. B. No. 43, "An Act to repeal Section 17, Chapter 74 of the Local and Special Laws of the Thirty-ninth Legislature, known as an act to establish a system of public roads and bridges for Denton county, and commonly referred to as the Denton county road law."

H. B. No. 87, "An Act making an appropriation of the sum of fifty thousand dollars (\$50,000), or so much thereof as may be necessary, out of the general revenues, to pay the per diem and mileage of members, the per diem of officers and employees and the contingent expenses of the Third Called Session of the Forty-second Legislature of the State of Texas, convened on the thirtieth day of August, 1932, by proclamation of the Governor; to supplement the like appropriation of the Regular Session, First and Second Called Sessions of said Legislature; to pay any unpaid vouchers or warrants held by members, officers, or employees of the Regular Session, First and Second Called Sessions of said Legislature, etc., and declaring an emergency."

H. B. No. 59, "An Act making it unlawful to take or to kill wild doves or quail for a period of three years in Hall county, Texas; fixing penalty, and declaring an emergency."

S. B. No. 23, "An Act creating the Special District Court of Upshur county and Smith county, Texas; prescribing its jurisdiction, limiting its existence, fixing its terms; providing for the appointment of a judge thereof, fixing his compensation, making an appropriation for the same, prescribing his powers and duties; providing for the transfer of cases from the Seventh Judicial District Court to said Special District Court and from said Special District Court to the court of the Seventh Judicial District; providing for the district clerks of Upshur and Smith counties and their successors in office to be the clerks for said Special District Court in

their respective counties; providing that the district attorney of the Seventh Judicial District shall represent the State in said Special District Court, and making it the duty of the county attorneys of Upshur and Smith counties to represent the State without extra compensation in said Special District Court in their respective counties in the absence of the district attorney or when he is for any reason unable to do so; providing a seal for said Special District Court; providing that if any section of this act be held unconstitutional or invalid for any reason, the same shall not impair or affect the remaining sections or provisions, and declaring an emergency."

#### SENATE BILL NO. 25 ON PASSAGE TO THIRD READING.

The Speaker laid before the House, as pending business, on its passage to third reading,

S. B. No. 25, A bill to be entitled "An Act amending Article 5326, Revised Civil Statutes, providing that the failure to pay any portion of the interest on the unpaid purchase moneys of lands sold by the State shall subject the sale of said land to forfeiture; providing where such sale is forfeited for the resale of said land, the terms and conditions of such resale, and giving a preference right to the person owning the land at the time the sale was forfeited to repurchase the same within one year after the date of forfeiture, for an amount equal to the sale price that was forfeited plus all accrued interest; providing that where the forfeited sale was on a mineral classification that the resale shall reserve to the State and to the fund to which the land belongs a one-sixteenth free royalty interest in all minerals in the land, and declaring an emergency."

The bill having heretofore been read second time with amendment by Mr. Wagstaff and substitute amendment by Mrs. Hughes for the amendment, pending.

Mr. Mathis moved the previous question on the pending amendments, amendments on the Speaker's desk, and the bill, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Question—Shall the substitute amendment by Mrs. Hughes be adopted?

#### MESSAGES FROM THE SENATE.

Senate Chamber,  
Austin, Texas, September 15, 1932.  
Hon. Fred H. Minor, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 87, A bill to be entitled "An Act making an appropriation of the sum of fifty thousand dollars (\$50,000), or so much thereof as may be necessary, out of the general revenues, to pay the per diem and mileage of members, the per diem of officers and employes and the contingent expenses of the Third Called Session of the Forty-second Legislature of the State of Texas, convened on the thirtieth day of August, 1932, by proclamation of the Governor; to supplement the like appropriation of the Regular Session, First and Second Called Sessions of said Legislature; to pay any unpaid vouchers or warrants held by members, officers, or employes of the Regular Session, First and Second Called Sessions of said Legislature, etc., and declaring an emergency."

H. B. No. 59, A bill to be entitled "An Act making it unlawful to take or to kill wild doves or quail for a period of three years in Hall county, Texas; fixing penalty, and declaring an emergency."

The Senate has appointed Senators Moore and Woodward as members of the conference committee on House bill No. 2 in lieu of Senators Poage and Loy, resigned.

The Senate has concurred in House amendments to Senate bill No. 9 by the following vote: Yeas 26, nays, 0.

The Senate has passed

S. B. No. 42, A bill to be entitled "An Act to validate all ad valorem tax levies heretofore made by cities in the State of Texas having a population of more than one hundred thousand (100,000) according to the last preceding United States census, and declaring an emergency."

S. B. No. 39, A bill to be entitled "An Act creating the Special District Court of Rusk and Gregg coun-

ties, Texas, prescribing its jurisdiction, limiting its existence, fixing its terms; providing for the appointment of a judge thereof, fixing his compensation, making an appropriation therefor, prescribing his powers and duties, providing for the transfer of cases from the Fourth Judicial District of Rusk county and from the 124th Judicial District of Gregg county; and from the Special District Court to the Fourth Judicial District of Rusk county and the 124th Judicial District of Gregg county; providing for the district clerks of Rusk and of Gregg counties and their successors in office, to be the clerks for said Special District Court in their respective counties; providing that the district attorney of the district court of Rusk county and the district attorney of Gregg county shall represent the State in said Special District Court in their respective counties, without extra compensation from said Special District Court in their respective counties; providing a seal for said Special District Court; providing that if any section of this act be held unconstitutional or invalid for any reason, the same shall not impair or affect the remaining sections or provisions, and declaring an emergency."

H. B. No. 53, A bill to be entitled "An Act to amend Chapter 137 of the Special Laws of Texas, Regular Session of the Forty-second Legislature, and declaring an emergency," with amendments.

H. B. No. 43, A bill to be entitled "An Act to repeal Section 17, Chapter 74 of the Local and Special Laws of the Thirty-ninth Legislature, known as an act to establish a system of public roads and bridges for Denton county, and commonly referred to as the Denton county road law."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### HOUSE BILL NO. 53 WITH SENATE AMENDMENTS.

Mr. Anderson called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 53, A bill to be entitled "An Act to amend Chapter 137 of the Special Laws of Texas, Regular Session of the Forty-second Legislature, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Anderson moved that the House do not concur in the Senate amendments.

The motion prevailed.

#### MESSAGE FROM THE GOVERNOR.

The Speaker laid before the House and had read the following message from the Governor:

Executive Office,  
Austin, Texas, September 15, 1932.  
To the Members of the Forty-second Legislature:

I herewith submit for your consideration the following:

"An Act making it an offense for any lessee, assignee, or holder of any oil or gas lease, or interest therein, who without the consent of the person entitled to any part of the oil produced from said lease or proceeds realized from the sale thereof, shall fraudulently convert the same to his own use and benefit with intent to deprive the owner of the value of same, shall be guilty of theft and shall be punished as prescribed in the Penal Code for theft of like property."

Respectfully submitted,  
R. S. STERLING,  
Governor.

#### EXPRESSING APPRECIATION TO THE PAGES.

Mr. Hoskins offered the following resolution:

Whereas, The Senate of Texas, through its pages, did on Thursday, September 14th, challenge the House of Representatives in the person of its pages to contest for the honor of the two bodies in a football game; and

Whereas, The House pages, true to form, and true to the Democratic traditions of the House, accepted the challenge; and

Whereas, The mighty House pages did, on Wednesday afternoon, September 14th, in defense of the honor and prestige of the House of Representatives and in the name of Democracy, proceed to administer to the State Senate, through its branch, the Senate pages, a much deserved defeat (score, 13-0) that has long been coming to it; therefore, be it

Resolved, That the House of Representatives, in appreciation of the gallant efforts of our staunch and stalwart pages, express to them, through these resolutions, our sincere appreciation and heartfelt gratitude for this noble effort in their successful defense of the honor and prestige of the House of Representatives of Texas.

HOSKINS,  
ENGELHARD,  
BAKER,  
COX of Lamar.

The resolution was read second time and was adopted.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, September 15, 1932.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 55, A bill to be entitled "An Act authorizing any county, political subdivision or defined district thereof to hold an election for the purpose of the cancellation and revocation of any unsold road bonds, and providing that such election shall be ordered and held in the same form and manner provided for in voting such road bonds; providing for the cancellation and destruction of such unsold road bonds retired by reason of such election, and the adjustment of existing tax levies and refund of any taxes levied and collected in anticipation of the sale of such road bonds, etc., and declaring and emergency," with amendments.

H. B. No. 56, A bill to be entitled "An Act to amend Articles 1111, 1112 and 1113 of the Revised Civil Statutes of Texas for 1925 and amendments thereof as passed by the Fortieth Legislature, found in Chapter No. 194, page 276, of the Acts of the Regular Session of the Fortieth Legislature, pertaining to the encumbrance of lighting systems, water systems and sewer systems and income thereof by cities and towns and 'Home Rule' cities; to secure payment of funds for the building and purchasing of improvement thereof, including therein the power to build and encumber natural gas systems and the income thereof for said purposes so that such obliga-

tion shall never be a debt upon such cities or towns, and declaring an emergency," with amendments.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Young, Mr. West of Cameron and Mr. Van Zandt:

H. B. No. 99, A bill to be entitled "An Act making it an offense for any lessee, assignee, owner, or holder of any oil or gas lease, or interest therein, who without the consent of the person entitled to any part of the oil produced from said lease or proceeds realized from the sale thereof, shall fraudulently convert the same to his own use and benefit with intent to deprive the owner of the value of same, shall be guilty of theft and shall be punished as prescribed in the Penal Code for theft of like property."

Referred to Committee on Criminal Jurisprudence.

By Mr. Terrell of Val Verde:

H. B. No. 100, A bill to be entitled "An Act granting aid to Maverick County Water Control and Improvement District No. 1, in Maverick county, Texas, made necessary by reason of the recent calamitous flood and overflow of the Rio Grande in said district and community on the 2nd day of September, 1932, which caused great loss, damage and destruction to property of said improvement district, etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

#### SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 39, to the Committee on Judicial Districts.

Senate bill No. 42, to the Committee on Revenue and Taxation.

#### RECESS.

On motion of Mr. Sanders, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

#### HOUSE BILL NO. 56 WITH SEN- ATE AMENDMENTS.

Mr. Farmer called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 56, A bill to be entitled "An Act to amend Articles 1111, 1112 and 1113 of the Revised Civil Statutes of Texas for 1925 and amendments thereof as passed by the Fortieth Legislature, found in Chapter No. 194, page 276, of the Acts of the Regular Session of the Fortieth Legislature, pertaining to the encumbrance of lighting systems, water systems and sewer systems and income thereof by cities and towns and 'Home Rule' cities; to secure payment of funds for the building and purchasing of improvement thereof, including therein the power to build and encumber natural gas systems and the income thereof for said purposes so that such obligations shall never be a debt upon such cities or towns, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Farmer, the House concurred in the Senate amendments.

#### BILL ORDERED NOT PRINTED.

On motion of Mr. Lasseter, Senate bill No. 39 was ordered not printed.

#### SENATE BILL NO. 25 ON PAS- SAGE TO THIRD READING.

The House resumed consideration of pending business, same being Senate bill No. 25, relative to the re-

purchase of school lands, on its passage to third reading with amendment by Mr. Wagstaff and substitute by Mrs. Hughes for the amendment, pending.

Mr. Jones of Atascosa moved the previous question on the pending amendments, amendment on the Speaker's desk and the bill, and the main question was ordered.

(Mr. Beck in the chair.)

Question first recurring on the substitute by Mrs. Hughes, yeas and nays were demanded.

The substitute amendment was adopted by the following vote:

#### Yeas—68.

|                   |                   |
|-------------------|-------------------|
| Adamson.          | Harrison          |
| Adkins.           | of Waller.        |
| Akin.             | Herzik.           |
| Albritton.        | Holland.          |
| Alsup.            | Hoskins.          |
| Barron.           | Hughes.           |
| Beck.             | Jackson.          |
| Bedford.          | Kennedy.          |
| Bond.             | Laird.            |
| Bounds.           | Lemens.           |
| Brice.            | Leonard.          |
| Brooks.           | Long.             |
| Bryant.           | McCombs.          |
| Burns of Walker.  | McGregor.         |
| Carpenter.        | Magee.            |
| Caven.            | Morse.            |
| Coltrin.          | Munson.           |
| Coombes.          | Olsen.            |
| Cox of Lamar.     | O'Quinn.          |
| Cox of Limestone. | Ray.              |
| Daniel.           | Richardson.       |
| Dodd.             | Rogers.           |
| Donnell.          | Savage.           |
| Dowell.           | Sherrill.         |
| Elliott.          | Smith of Bastrop. |
| Farmer.           | Sparkman.         |
| Farrar.           | Stephens.         |
| Ferguson.         | Sullivant.        |
| Fisher.           | Terrell           |
| Fuchs.            | of Cherokee.      |
| Giles.            | Towery.           |
| Goodman.          | Turner.           |
| Graves.           | Vaughan.          |
| Grogan.           | Weinert.          |
| Hanson.           | West of Coryell.  |

#### Nays—54.

|                  |             |
|------------------|-------------|
| Adams of Jasper. | Forbes.     |
| Andetson.        | Ford.       |
| Baker.           | Gilbert.    |
| Burns            | Greathouse. |
| of McCulloch.    | Hardy.      |
| Davis.           | Harrison    |
| Duvall.          | of El Paso. |
| Dwyer.           | Hefley.     |
| Finn.            | Hill.       |

|                    |                |
|--------------------|----------------|
| Hines.             | Petsch.        |
| Howsley.           | Pope.          |
| Hubbard.           | Ramsey.        |
| Johnson            | Ratliff.       |
| of Dallam.         | Rountree.      |
| Johnson            | Satterwhite.   |
| of Dimmit.         | Scott.         |
| Jones of Shelby.   | Shelton.       |
| Jones of Atascosa. | Smith of Wood. |
| Justiss.           | Stevenson.     |
| Lee.               | Steward.       |
| Lilley.            | Strong.        |
| McDougald.         | Tarwater.      |
| McGill.            | Terrell        |
| Mathis.            | of Val Verde.  |
| Metcalfe.          | Van Zandt.     |
| Moffett.           | Wagstaff.      |
| Moore.             | Walker.        |
| Murphy.            | Warwick.       |
| Nicholson.         | Young.         |
| Patterson.         |                |

#### Absent.

|                  |                  |
|------------------|------------------|
| Adams of Harris. | Lasseter.        |
| Bradley.         | Martin.          |
| Dale.            | Mehl.            |
| Dunlap.          | Reader.          |
| Englehard.       | Sanders.         |
| Harman.          | West of Cameron. |
| Holder.          | Westbrook.       |
| Holloway.        | Wiggs.           |
| Kayton.          | Wyatt.           |
| Keller.          |                  |

#### Absent—Excused.

|          |             |
|----------|-------------|
| Boyd.    | Cunningham. |
| Claunch. | Lockhart.   |

The amendment as substituted was then adopted by the following vote:

#### Yeas—81.

|                  |                    |
|------------------|--------------------|
| Adamson.         | Elliott.           |
| Adkins.          | Farmer.            |
| Akin.            | Farrar.            |
| Albritton.       | Ferguson.          |
| Alsup.           | Fisher.            |
| Barron.          | Forbes.            |
| Beck.            | Ford.              |
| Bedford.         | Fuchs.             |
| Bond.            | Goodman.           |
| Bounds.          | Graves.            |
| Bradley.         | Grogan.            |
| Brice.           | Hanson.            |
| Brooks.          | Hardy.             |
| Bryant.          | Harrison           |
| Burns of Walker. | of El Paso.        |
| Caven.           | Hines.             |
| Coltrin.         | Holland.           |
| Coombes.         | Hoskins.           |
| Cox of Lamar.    | Hubbard.           |
| Daniel.          | Hughes.            |
| Dodd.            | Johnson            |
| Donnell.         | of Dimmit.         |
| Dowell.          | Jones of Atascosa. |
| Duvall.          | Justiss.           |

|             |                   |
|-------------|-------------------|
| Kennedy.    | Rogers.           |
| Lemens.     | Sherrill.         |
| Leonard.    | Smith of Bastrop. |
| Long.       | Sparkman.         |
| McCombs.    | Stephens.         |
| McGregor.   | Steward.          |
| Magee.      | Strong.           |
| Martin.     | Sullivant.        |
| Mathis.     | Terrell           |
| Moffett.    | of Cherokee.      |
| Morse.      | Towery.           |
| Munson.     | Turner.           |
| Olsen.      | Van Zandt.        |
| O'Quinn.    | Vaughan.          |
| Patterson.  | Wagstaff.         |
| Ratliff.    | Weinert.          |
| Ray.        | West of Coryell.  |
| Richardson. | Young.            |

## Nays—39.

|                  |                |
|------------------|----------------|
| Adams of Jasper. | Lilley.        |
| Anderson.        | McDougald.     |
| Baker.           | McGill.        |
| Burns            | Metcalf.       |
| of McCulloch.    | Moore.         |
| Carpenter.       | Murphy.        |
| Davis.           | Nicholson.     |
| Dwyer.           | Petsch.        |
| Finn.            | Pope.          |
| Gilbert.         | Ramsey.        |
| Greathouse.      | Rountree.      |
| Harrison         | Satterwhite.   |
| of Waller.       | Savage.        |
| Hefley.          | Scott.         |
| Hill.            | Shelton.       |
| Howsley.         | Smith of Wood. |
| Jackson.         | Stevenson.     |
| Jones of Shelby. | Terrell        |
| Keller.          | of Val Verde.  |
| Laird.           | Walker.        |
| Lee.             | Warwick.       |

## Absent.

|                    |                  |
|--------------------|------------------|
| Adams of Harris.   | Kayton.          |
| Cox of Limestone.  | Lasseter.        |
| Dale.              | Mehl.            |
| Dunlap.            | Reader.          |
| Engelhard.         | Sanders.         |
| Giles.             | Tarwater.        |
| Harman.            | West of Cameron. |
| Herzik.            | Westbrook.       |
| Holder.            | Wiggs.           |
| Holloway.          | Wyatt.           |
| Johnson of Dallam. |                  |

## Absent—Excused.

|          |             |
|----------|-------------|
| Boyd.    | Cunningham. |
| Claunch. | Lockhart.   |

Mr. Long offered the following amendment to the bill:

Amend Senate bill No. 25, Section 1, by striking out the words "equal to the forfeited sale price," in lines 38 and 39, and insert in lieu thereof

the words "equal to the present value thereof, said value to be determined by the Land Commissioner."

Mr. Van Zandt offered the following substitute for the amendment by Mr. Long:

Amend Senate bill No. 25 by adding after the word "sale," in line 40 of the printed copy of House bill 74, the following: "and any bonus and rentals which may have accrued thereon at the time of said forfeiture."

Question recurring on the substitute amendment, yeas and nays were demanded.

The substitute amendment was adopted by the following vote:

## Yeas—66.

|                   |                    |
|-------------------|--------------------|
| Adamson.          | Jackson.           |
| Adkins.           | Johnson            |
| Albritton.        | of Dallam.         |
| Alsup.            | Jones of Atascosa. |
| Anderson.         | Lee.               |
| Baker.            | Lemens.            |
| Bradley.          | Lilley.            |
| Burns             | McGill.            |
| of McCulloch.     | McGregor.          |
| Caven.            | Metcalf.           |
| Cox of Limestone. | Moffett.           |
| Davis.            | Moore.             |
| Dodd.             | Morse.             |
| Donnell.          | Nicholson.         |
| Dowell.           | Olsen.             |
| Duvall.           | Petsch.            |
| Dwyer.            | Pope.              |
| Engelhard.        | Ratliff.           |
| Farmer.           | Richardson.        |
| Finn.             | Rountree.          |
| Forbes.           | Sanders.           |
| Ford.             | Satterwhite.       |
| Fuchs.            | Scott.             |
| Gilbert.          | Stevenson.         |
| Giles.            | Steward.           |
| Greathouse.       | Strong.            |
| Hardy.            | Sullivant.         |
| Harman.           | Terrell            |
| Harrison          | of Val Verde.      |
| of El Paso.       | Turner.            |
| Hefley.           | Van Zandt.         |
| Hill.             | Wagstaff.          |
| Holland.          | Walker.            |
| Hoskins.          | West of Coryell.   |
| Hubbard.          | Young.             |

## Nays—55.

|                  |                  |
|------------------|------------------|
| Adams of Jasper. | Bryant.          |
| Akin.            | Burns of Walker. |
| Bedford.         | Carpenter.       |
| Bond.            | Coltrin.         |
| Bounds.          | Coombes.         |
| Brice.           | Cox of Lamar.    |
| Brooks.          | Daniel.          |

|                  |                   |
|------------------|-------------------|
| Elliott.         | Martin.           |
| Farrar.          | Mathis.           |
| Ferguson.        | Munson.           |
| Fisher.          | O'Quinn.          |
| Goodman.         | Ramsey.           |
| Graves.          | Ray.              |
| Grogan.          | Rogers.           |
| Hanson.          | Savage.           |
| Herzik.          | Shelton.          |
| Howsley.         | Sherrill.         |
| Hughes.          | Smith of Bastrop. |
| Johnson          | Smith of Wood.    |
| of Dimmit.       | Sparkman.         |
| Jones of Shelby. | Stephens.         |
| Justiss.         | Tarwater.         |
| Kayton.          | Terrell           |
| Keller.          | of Cherokee.      |
| Kennedy.         | Towery.           |
| Laird.           | Vaughan.          |
| Long.            | Weinert.          |
| McCombs.         | Westbrook.        |
| Magee.           |                   |

## Present—Not Voting.

Leonard.

## Absent.

|                  |                  |
|------------------|------------------|
| Adams of Harris. | Lasseter.        |
| Barron.          | McDougald.       |
| Beck.            | Mehl.            |
| Dale.            | Murphy.          |
| Dunlap.          | Patterson.       |
| Harrison         | Reader.          |
| of Waller.       | Warwick.         |
| Hines.           | West of Cameron. |
| Holder.          | Wiggs.           |
| Holloway.        | Wyatt.           |

## Absent—Excused.

|          |             |
|----------|-------------|
| Boyd.    | Cunningham. |
| Claunch. | Lockhart.   |

The amendment as substituted was then adopted by the following vote:

## Yeas—94.

|                   |             |
|-------------------|-------------|
| Adams of Jasper.  | Dodd.       |
| Adamson.          | Donnell.    |
| Adkins.           | Dowell.     |
| Albritton.        | Duvall.     |
| Alsup.            | Dwyer.      |
| Baker.            | Elliott.    |
| Bedford.          | Engelhard.  |
| Bond.             | Farmer.     |
| Bradley.          | Farrar.     |
| Brice.            | Finn.       |
| Brooks.           | Fisher.     |
| Bryant.           | Forbes.     |
| Burns             | Ford.       |
| of McCulloch.     | Fuchs.      |
| Carpenter.        | Gilbert.    |
| Coltrin.          | Giles.      |
| Cox of Lamar.     | Goodman.    |
| Cox of Limestone. | Greathouse. |
| Davis.            | Hardy.      |

|                    |                  |
|--------------------|------------------|
| Harrison           | Pope.            |
| of El Paso.        | Ramsey.          |
| Hill.              | Ratliff.         |
| Holland.           | Ray.             |
| Hoskins.           | Richardson.      |
| Hubbard.           | Rogers.          |
| Jackson.           | Rountree.        |
| Johnson            | Sanders.         |
| of Dallam.         | Satterwhite.     |
| Johnson            | Shelton.         |
| of Dimmit.         | Sherrill.        |
| Jones of Shelby.   | Smith of Wood.   |
| Jones of Atascosa. | Sparkman.        |
| Justiss.           | Stephens.        |
| Kayton.            | Steward.         |
| Keller.            | Strong.          |
| Kennedy.           | Sullivant.       |
| Lasseter.          | Tarwater.        |
| Lemens.            | Terrell          |
| Leonard.           | of Val Verde.    |
| Lilley.            | Turner.          |
| McDougald.         | Van Zandt.       |
| McGill.            | Vaughan.         |
| Magee.             | Wagstaff.        |
| Metcalfe.          | Walker.          |
| Moffett.           | Warwick.         |
| Moore.             | Weinert.         |
| Morse.             | West of Coryell. |
| Murphy.            | Westbrook.       |
| Olsen.             | Young.           |
| Petsch.            |                  |

## Nays—25.

|                  |                   |
|------------------|-------------------|
| Akin.            | Laird.            |
| Anderson.        | McCombs.          |
| Bounds.          | Martin.           |
| Burns of Walker. | Munson.           |
| Caven.           | Nicholson.        |
| Coombes.         | O'Quinn.          |
| Daniel.          | Savage.           |
| Ferguson.        | Scott.            |
| Graves.          | Smith of Bastrop. |
| Hanson.          | Stevenson.        |
| Hefley.          | Terrell           |
| Howsley.         | of Cherokee.      |
| Hughes.          | Towery.           |

## Absent.

|                  |                  |
|------------------|------------------|
| Adams of Harris. | Holloway.        |
| Barron.          | Lee.             |
| Beck.            | Long.            |
| Dale.            | McGregor.        |
| Dunlap.          | Mathis.          |
| Grogan.          | Mehl.            |
| Harman.          | Patterson.       |
| Harrison         | Reader.          |
| of Waller.       | West of Cameron. |
| Herzik.          | Wiggs.           |
| Hines.           | Wyatt.           |
| Holder.          |                  |

## Absent—Excused.

|          |             |
|----------|-------------|
| Boyd.    | Cunningham. |
| Claunch. | Lockhart.   |



Senate bill No. 25 was then passed to third reading by the following vote:

## Yeas—72.

|                    |                |
|--------------------|----------------|
| Adams of Jasper.   | Justiss.       |
| Albritton.         | Lee.           |
| Anderson.          | Lemens.        |
| Baker.             | Lilley.        |
| Burns              | Long.          |
| of McCulloch.      | McDougald.     |
| Coltrin.           | McGill.        |
| Davis.             | McGregor.      |
| Donnell.           | Metcalfe.      |
| Dowell.            | Moffett.       |
| Dunlap.            | Murphy.        |
| Duvall.            | Nicholson.     |
| Dwyer.             | Olsen.         |
| Engelhard.         | O'Quinn.       |
| Farmer.            | Petsch.        |
| Finn.              | Pope.          |
| Forbes.            | Ramsey.        |
| Ford.              | Ratliff.       |
| Fuchs.             | Ray.           |
| Gilbert.           | Richardson.    |
| Giles.             | Sanders.       |
| Greathouse.        | Satterwhite.   |
| Grogan.            | Scott.         |
| Hardy.             | Smith of Wood. |
| Harman.            | Stevenson.     |
| Hefley.            | Steward.       |
| Hill.              | Strong.        |
| Hines.             | Sullivant.     |
| Holland.           | Tarwater.      |
| Howsley.           | Terrell        |
| Hubbard.           | of Val Verde.  |
| Jackson.           | Turner.        |
| Johnson            | Van Zandt.     |
| of Dallam.         | Wagstaff.      |
| Johnson            | Walker.        |
| of Dimmit.         | Weinert.       |
| Jones of Shelby.   | Westbrook.     |
| Jones of Atascosa. | Young.         |

## Nays—53.

|                   |            |
|-------------------|------------|
| Adamson.          | Farrar.    |
| Adkins.           | Ferguson.  |
| Akin.             | Fisher.    |
| Alsup.            | Goodman.   |
| Barron.           | Graves.    |
| Bedford.          | Hanson.    |
| Bond.             | Harrison   |
| Bounds.           | of Waller. |
| Bradley.          | Hoskins.   |
| Brice.            | Hughes.    |
| Brooks.           | Kayton.    |
| Bryant.           | Keller.    |
| Burns of Walker.  | Kennedy.   |
| Carpenter.        | Laird.     |
| Caven.            | Leonard.   |
| Coombes.          | McCombs.   |
| Cox of Lamar.     | Magee.     |
| Cox of Limestone. | Martin.    |
| Daniel.           | Moore.     |
| Dodd.             | Morse.     |
| Elliott.          | Munson.    |

|                   |                  |
|-------------------|------------------|
| Rogers.           | Stephens.        |
| Rountree.         | Terrell          |
| Savage.           | of Cherokee.     |
| Shelton.          | Towery.          |
| Sherrill.         | Vaughan.         |
| Smith of Bastrop. | West of Coryell. |
| Sparkman.         |                  |

## Absent.

|                  |                  |
|------------------|------------------|
| Adams of Harris. | Mathis.          |
| Beck.            | Mehl.            |
| Dale.            | Patterson.       |
| Harrison         | Reader.          |
| of El Paso.      | Warwick.         |
| Herzik.          | West of Cameron. |
| Holder.          | Wiggs.           |
| Holloway.        | Wyatt.           |
| Lasseter.        |                  |

## Absent—Excused.

|          |             |
|----------|-------------|
| Boyd.    | Cunningham. |
| Claunch. | Lockhart.   |

## MOTION TO TAKE UP SENATE BILL NO. 25.

Mr. Wagstaff moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 25 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

## Yeas—72.

|                  |                    |
|------------------|--------------------|
| Adams of Jasper. | Howsley.           |
| Albritton.       | Hubbard.           |
| Anderson.        | Johnson            |
| Baker.           | of Dimmit.         |
| Burns            | Jones of Shelby.   |
| of McCulloch.    | Jones of Atascosa. |
| Coltrin.         | Justiss.           |
| Davis.           | Keller.            |
| Donnell.         | Lee.               |
| Dowell.          | Leonard.           |
| Duvall.          | Lilley.            |
| Dwyer.           | Long.              |
| Engelhard.       | McDougald.         |
| Farmer.          | McGill.            |
| Farrar.          | McGregor.          |
| Finn.            | Mathis.            |
| Forbes.          | Metcalfe.          |
| Ford.            | Moffett.           |
| Fuchs.           | Murphy.            |
| Gilbert.         | Nicholson.         |
| Greathouse.      | Olsen.             |
| Hardy.           | O'Quinn.           |
| Harman.          | Patterson.         |
| Harrison         | Petsch.            |
| of El Paso.      | Pope.              |
| Hefley.          | Ramsey.            |
| Hill.            | Ratliff.           |
| Hines.           | Ray.               |
| Holland.         | Richardson.        |

|                |               |
|----------------|---------------|
| Sanders.       | Tarwater.     |
| Scott.         | Terrell       |
| Shelton.       | of Val Verde. |
| Smith of Wood. | Turner.       |
| Sparkman.      | Van Zandt.    |
| Stevenson.     | Wagstaff.     |
| Steward.       | Walker.       |
| Strong.        | Weinert.      |
| Sullivant.     | Young.        |

## Nays—49.

|                   |                   |
|-------------------|-------------------|
| Adamson.          | Hanson.           |
| Adkins.           | Herzik.           |
| Akin.             | Hoskins.          |
| Alsup.            | Hughes.           |
| Barron.           | Kayton.           |
| Bedford.          | Kennedy.          |
| Bond.             | Laird.            |
| Bounds.           | Lemens.           |
| Bradley.          | McCombs.          |
| Brooks.           | Magee.            |
| Bryant.           | Martin.           |
| Burns of Walker.  | Moore.            |
| Carpenter.        | Morse.            |
| Caven.            | Munson.           |
| Coombes.          | Rogers.           |
| Cox of Lamar.     | Savage.           |
| Cox of Limestone. | Sherrill.         |
| Daniel.           | Smith of Bastrop. |
| Dodd.             | Stephens.         |
| Elliott.          | Terrell           |
| Ferguson.         | of Cherokee.      |
| Fisher.           | Towery.           |
| Giles.            | Vaughan.          |
| Graves.           | West of Coryell.  |
| Grogan.           | Westbrook.        |

## Present—Not Voting.

Brice.

## Absent.

|                  |                    |
|------------------|--------------------|
| Adams of Harris. | Johnson of Dallam. |
| Beck.            | Lasseter.          |
| Dale.            | Mehl.              |
| Dunlap.          | Reader.            |
| Goodman.         | Rountree.          |
| Harrison         | Satterwhite.       |
| of Waller.       | Warwick.           |
| Holder.          | West of Cameron.   |
| Holloway.        | Wiggs.             |
| Jackson.         | Wyatt.             |

## Absent—Excused.

|          |             |
|----------|-------------|
| Boyd.    | Cunningham. |
| Claunch. | Lockhart.   |

(Speaker in the chair.)

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, September 15, 1932.  
Hon. Fred H. Minor, Speaker of the  
House of Representatives.  
Sir: I am directed by the Senate

to inform the House that the Senate has passed

S. B. No. 46, A bill to be entitled "An Act granting permission to J. F. Bentley of Navarro county, Texas, to sue and maintain a suit against the State Highway Commission as such and the State of Texas and members of the State Highway Commission for damages for killing two mules and injury to wagon and harness and personal injuries which he claims to have sustained on a State highway of the State of Texas running through Navarro county, and which occurred on or about February 8, 1932. The injuries alleged to have occurred about one mile west of Richland Creek on the highway from Corsicana to Waco, and being known as State Highway No. 31; said suit not yet having been filed; and providing for the payment of any judgment which may be recovered against said State Highway Commission of Texas as such, of the State of Texas in said suit, and declaring an emergency."

S. B. No. 47, A bill to be entitled "An Act granting W. F. Sewell and his wife, Mrs. Irma Sewell, and J. C. Lewis permission to sue and maintain a suit against the State Highway Commission as such and the State of Texas and members of the State Highway Commission for damages to their land and crops which they claim by virtue of the construction of State Highway No. 32 and Federal Highway No. 75 which runs between the town of Angus and the town of Richland, over the property of said W. F. Sewell and wife, and which they claim is damaging said property and the crops thereon situated, said road running through said property. Which suit has been brought in the district court of Navarro county, Texas, the original petition having been filed on September 21, 1931, and providing for any judgment which may be recovered against the Highway Commission as such, or the State of Texas in said suit, and declaring an emergency."

S. B. No. 45, A bill to be entitled "An Act granting permission to E. A. Eliot and wife, Mrs. Hattie Eliot, to sue and maintain a suit against the State Highway Commission as such and the State of Texas and members of the State Highway

Commission for damages to their land and crops which they claim by virtue of the construction of State Highway No. 32 and Federal Highway No. 75, which runs between the town of Angus and the town of Richland, on plaintiffs' property, which they claim is damaged and the crops thereon being situated east of said road, and for which suit has been brought in the district court of Navarro county, Texas, the original petition having been filed on September 12, 1931; and providing for the payment of any judgment which may be recovered against the Highway Commission as such, or the State of Texas in said suit, and declaring an emergency."

The Senate has adopted

H. C. R. No. 8, Relating to the sine die adjournment of the Third Called Session of the Forty-second Legislature, with an amendment.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### RELATIVE TO COTTON CO-OPERATIVE ASSOCIATIONS.

Mr. Westbrook moved to take up, for consideration at this time, Senate concurrent resolution No. 5, Relative to the Texas Co-operative Cotton Associations, the resolution having heretofore been laid on the table subject to call and due notice having been given that same would be called up today.

The motion prevailed.

Mr. Anderson offered the following amendment to the resolution:

Amend Senate concurrent resolution No. 5 by striking out the following words beginning in line No. 6 of the first paragraph: "Any co-operative agricultural marketing association or subsidiary thereof, operating in the State connected with, or directly or indirectly affiliated with the Federal Farm Board," and insert in lieu thereof the following: "the Texas Cotton Co-operative Association and its subsidiaries operating in the State."

The amendment was adopted.

Mr. Beck offered the following amendment to the resolution:

Amend Senate concurrent resolution No. 5 by adding after paragraph 1 the following:

"Be it further resolved, That said committee shall also inquire into and report to the Legislature the effect upon the price obtained by the farmers for cotton because of lower transportation costs due to competition of motor trucks in the field of transportation."

Mr. Petsch raised a point of order on further consideration of the amendment, on the ground that the amendment is not germane to the resolution.

The Speaker sustained the point of order.

Mr. Satterwhite offered the following amendment to the resolution:

Amend Senate concurrent resolution No. 5 by substituting for the entire resolution the following:

"Whereas, It is charged and alleged by certain members of the Texas Cotton Co-operative Association that irregularities and misapplication of funds have occurred in the management of the said Texas Cotton Co-operative Association; and

Whereas, There is an earnest demand on the part of some members of said Texas Cotton Co-operative Association that said charges and allegations be made the subject of a thorough investigation on the part of State officials; therefore, be it

Resolved by the Senate of the State of Texas, The House of Representatives concurring, That the Attorney General of Texas be directed to inquire into the affairs and methods of operation of the Texas Cotton Co-operative Association upon any complaint filed by any member of the Texas Cotton Co-operative Association, when in the judgment of the Attorney General such complaint justifies such investigation; and be it further

Resolved, That if such investigation develops alleged violations of the law, then the Attorney General is hereby directed to prosecute such violations to the fullest extent of the law, and that such expense as may be incurred be paid out of the law enforcement and traveling expense fund appropriated to the Attorney General's Department."

Signed—Satterwhite, Van Zandt, Dowell, Alsup, Sullivant, Adamson, West of Coryell, Sherrill, Wyatt, Patterson, Hoskins, Wiggs, Jones of Atascosa, Carpenter, Towerly, Fuchs, Goodman.

Mr. Westbrook moved to table the amendment by Mr. Satterwhite.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

## Yeas—34.

|            |                  |
|------------|------------------|
| Anderson.  | Long.            |
| Baker.     | McCombs.         |
| Bond.      | McGregor.        |
| Coombes.   | Martin.          |
| Duvall.    | Morse.           |
| Dwyer.     | Murphy.          |
| Farmer.    | Nicholson.       |
| Ferguson.  | Petsch.          |
| Forbes.    | Richardson.      |
| Ford.      | Rogers.          |
| Gilbert.   | Sanders.         |
| Graves.    | Steward.         |
| Grogan.    | Terrell          |
| Harman.    | of Cherokee.     |
| Hill.      | Terrell          |
| Howsley.   | of Val Verde.    |
| Johnson    | West of Cameron. |
| of Dimmit. | Westbrook.       |
| Lilley.    |                  |

## Nays—71.

|                   |                    |
|-------------------|--------------------|
| Adams of Jasper.  | Hoskins.           |
| Adamson.          | Hughes.            |
| Adkins.           | Jones of Atascosa. |
| Akin.             | Justiss.           |
| Albritton.        | Kayton.            |
| Alsup.            | Keller.            |
| Barron.           | Kennedy.           |
| Bedford.          | Laird.             |
| Bounds.           | Lasseter.          |
| Bradley.          | Lee.               |
| Brice.            | McGill.            |
| Bryant.           | Magee.             |
| Carpenter.        | Mathis.            |
| Coltrin.          | Moore.             |
| Cox of Lamar.     | Munson.            |
| Cox of Limestone. | Olsen.             |
| Cunningham.       | O'Quinn.           |
| Daniel.           | Ratliff.           |
| Dodd.             | Ray.               |
| Donnell.          | Satterwhite.       |
| Dowell.           | Savage.            |
| Elliott.          | Scott.             |
| Englehard.        | Shelton.           |
| Farrar.           | Sparkman.          |
| Finn.             | Stevenson.         |
| Fisher.           | Sullivant.         |
| Fuchs.            | Tarwater.          |
| Giles.            | Towery.            |
| Goodman.          | Van Zandt.         |
| Hanson.           | Vaughan.           |
| Harrison          | Wagstaff.          |
| of Waller.        | Walker.            |
| Hefley.           | Warwick.           |
| Herzik.           | Weinert.           |
| Hines.            | West of Coryell.   |
| Holland.          | Young.             |

## Present—Not Voting.

Greathouse.

Moffett.

## Absent.

|                  |                   |
|------------------|-------------------|
| Adams of Harris. | Jones of Shelby.  |
| Beck.            | Lemens.           |
| Brooks.          | Leonard.          |
| Burns of Walker. | McDougald.        |
| Burns            | Mehl.             |
| of McCulloch.    | Metcalfe.         |
| Caven.           | Patterson.        |
| Dale.            | Pope.             |
| Davis.           | Ramsey.           |
| Dunlap.          | Reader.           |
| Hardy.           | Rountree.         |
| Harrison         | Sherrill.         |
| of El Paso.      | Smith of Bastrop. |
| Holder.          | Smith of Wood.    |
| Holloway.        | Stephens.         |
| Hubbard.         | Strong.           |
| Jackson.         | Turner.           |
| Johnson          | Wiggs.            |
| of Dallam.       | Wyatt.            |

## Absent—Excused.

Boyd.

Lockhart.

Claunch.

Question next recurring on the amendment to the resolution, yeas and nays were demanded.

The amendment was adopted by the following vote:

## Yeas—74.

|                   |                  |
|-------------------|------------------|
| Adams of Jasper.  | Hanson.          |
| Adamson.          | Harrison         |
| Adkins.           | of Waller.       |
| Akin.             | Hefley.          |
| Albritton.        | Herzik.          |
| Alsup.            | Hill.            |
| Barron.           | Hines.           |
| Bedford.          | Hoskins.         |
| Bounds.           | Hughes.          |
| Bradley.          | Johnson          |
| Brice.            | of Dallam.       |
| Brooks.           | Johnson          |
| Carpenter.        | of Dimmit.       |
| Coltrin.          | Jones of Shelby. |
| Cox of Lamar.     | Justiss.         |
| Cox of Limestone. | Keller.          |
| Daniel.           | Kennedy.         |
| Dodd.             | Laird.           |
| Donnell.          | Lee.             |
| Dowell.           | Magee.           |
| Dwyer.            | Moore.           |
| Elliott.          | Munson.          |
| Engelhard.        | Olsen.           |
| Farrar.           | O'Quinn.         |
| Finn.             | Pope.            |
| Fisher.           | Ratliff.         |
| Fuchs.            | Ray.             |
| Gilbert.          | Richardson.      |
| Giles.            | Satterwhite.     |
| Goodman.          | Savage.          |

|                   |                  |
|-------------------|------------------|
| Scott.            | Van Zandt.       |
| Shelton.          | Vaughan.         |
| Smith of Bastrop. | Wagstaff.        |
| Sparkman.         | Walker.          |
| Stevenson.        | Warwick.         |
| Sullivant.        | Weinert.         |
| Tarwater.         | West of Coryell. |
| Towery.           | Young.           |
| Turner.           |                  |

## Nays—31.

|             |               |
|-------------|---------------|
| Anderson.   | Lilley.       |
| Baker.      | Long.         |
| Bond.       | McCombs.      |
| Bryant.     | McGregor.     |
| Coombes.    | Martin.       |
| Duvall.     | Morse.        |
| Farmer.     | Murphy.       |
| Ferguson.   | Nicholson.    |
| Forbes.     | Rogers.       |
| Ford.       | Sanders.      |
| Graves.     | Steward.      |
| Greathouse. | Terrell       |
| Grogan.     | of Cherokee.  |
| Harman.     | Terrell       |
| Holland.    | of Val Verde. |
| Howsley.    | Westbrook.    |
| Kayton.     |               |

## Present—Not Voting.

Moffett.

## Absent.

|                    |                  |
|--------------------|------------------|
| Adams of Harris.   | Leonard.         |
| Beck.              | McDougald.       |
| Burns of Walker.   | McGill.          |
| Burns              | Mathis.          |
| of McCulloch.      | Mehl.            |
| Caven.             | Metcalfe.        |
| Dale.              | Patterson.       |
| Davis.             | Petsch.          |
| Dunlap.            | Ramsey.          |
| Hardy.             | Reader.          |
| Harrison           | Rountree.        |
| of El Paso.        | Sherrill.        |
| Holder.            | Smith of Wood.   |
| Holloway.          | Stephens.        |
| Hubbard.           | Strong.          |
| Jackson.           | West of Cameron. |
| Jones of Atascosa. | Wiggs.           |
| Lasseter.          | Wyatt.           |
| Lemens.            |                  |

## Absent—Excused.

|          |             |
|----------|-------------|
| Boyd.    | Cunningham. |
| Claunch. | Lockhart.   |

Mr. Terrell of Val Verde offered the following amendment to the resolution:

Amend Senate concurrent resolution No. 5 as amended by adding the following:

"Whereas, Charges of a most serious nature have been made relative

to the conduct of the affairs of the Texas Farm Bureau Cotton Association, its successor, the Texas Cotton Co-operative Association and their subsidiaries, by Representative Westbrook, a member of this House; and

Whereas, This organization and its subsidiaries occupy in the minds of the people generally a quasi-public position; and

Whereas, This organization is now actively soliciting cotton from the farmers of this State; and

Whereas, The funds received from the sale of such cotton are entrusted to this organization in a fiduciary capacity; and

Whereas, The charges hereinbefore referred to allege that such funds have been misapplied and misappropriated by this organization and converted to the private use of officials thereof; be it, therefore,

Resolved by the House of the Forty-second Legislature, the Senate concurring, That the Attorney General of Texas be and hereby is (directed) to immediately investigate the affairs of the Texas Farm Bureau Cotton Association, its successor, the Texas Cotton Co-Operative Association, and their subsidiaries to determine the following:

1. The truth or falsity of the charges made by Representative Westbrook, copy of which is attached hereto.

2. Whether or not all moneys due to members of this organization either from sales of cotton or from reserves have been paid to said members.

3. Whether or not the Texas Cotton Co-operative Association and its subsidiaries are being operated in accordance with the contracts held with members.

4. Whether or not the Texas Cotton Co-operative Association is or has been carrying on operations not authorized by its charter.

5. Any other matters pertinent to the public interest in this connection; and be it further

Resolved, That the Attorney General be directed to take such action as his findings might indicate as being for the best interests of the State; that any evidence indicating criminal responsibility on the part

of any officer, director or employee of any of the organizations mentioned herein be turned over to the appropriate grand jury, and that the complete findings covering the four points herein be reported to the Regular Session of the Forty-third Legislature.

Last March I publicly called upon the Federal Farm Board to see that certain conditions existing in the Texas Cotton Co-operative Association were corrected. At that time, I stated that I proposed to expose these conditions in the Legislature in order that the cotton farmers of the State might understand them, and in order that public sentiment might be aroused in their behalf.

Before I could make the statements I had planned to make before the Legislature, however, Mr. E. F. Creekmore, General Manager of the American Cotton Co-operation Association, to whom the Farm Board had given full authority to act, pledged himself to see that the conditions of which I had complained were corrected, and urged me not to complicate his efforts by making a public exposure.

On the advice of many of my friends interested in the welfare of the cotton farmers and the co-operative movement, but against my own judgment, I agreed to refrain from making public the facts in my possession with the definite understanding that Mr. Creekmore would carry out his promises.

The conditions of which I complained have been remedied only in minor detail, and I feel that it is my duty to the cotton farmers of Texas, many of whom I induced to become members of the Texas Cotton Co-operative Association, to advise them of certain conditions within that organization which vitally effect their personal interest.

First, I refer to the executive and operating personnel which had been inherited from the old Farm Bureau Cotton Association, which had been continued after the organization of the Texas Cotton Co-operative Association, and which was at the time of my statement last March deep in conspiracy to safeguard their positions of power and profit in the Texas organization, and to bring about the repudiation of agreements made with Governor Moody's organ-

ization committee by the Federal Farm Board and the old Texas Farm Bureau Cotton Association.

I had discovered in my capacity, as Texas representative of the American Cotton Co-operative Association, that the executive personnel in the Dallas office was not only inexperienced and incompetent, but that certain individuals had been guilty of misfeasance and malfeasance in the management of the affairs of the organization, and I found that through the practice of deceit and deception, and on account of their utter unfitness for the positions which they occupied, that they had cost the membership enormous sums of money, some of which they had converted to their personal use. I knew that the members would have no opportunity of discovering this deplorable condition, if the organization was retained in the form of the old Farm Bureau Cotton Association, and this was the aim of the conspirators.

In regard to misfeasance, malfeasance, and to the charges of deceit, deception and incompetency, I will say that I do not know how far it extended, but I will cite sufficient specific cases to amply prove the contention. They are as follows:

1. That Lynn Stokes, President, and Harry Williams, Secretary-Treasurer-General Manager, had in 1929 used over \$400,000 of money due to members for cotton in gambling on cotton purchased outright by the Farm Bureau Gin Company, and that they had lost this money and could not have paid it back, if they had not been able to borrow from the Farm Board. This, I think, is both misfeasance and malfeasance.

2. That Lynn Stokes, Harry Williams, and other members and officers of the executive committee had loaned themselves large sums of money from the funds of the organization without authority. I do not know all of the details of these transactions because I have not seen the minutes, but Mr. Creekmore admitted after my statement last March that four officers and directors, including Mr. Stokes and Mr. Williams, had so borrowed an aggregate of \$84,000, which was probably uncollectible.

This is misfeasance and malfeasance, and it is probably embezzlement as well.

3. That under the management of

Mr. Stokes the Farm Bureau Gin Company, a subsidiary controlling thirty-seven (37) gins, had lost more than \$600,000 belonging to the reserve fund of the old members of the Farm Bureau Cotton Association in gambling on cotton, and that neither the members as a whole nor the patrons of the gin were informed of it. This is misfeasance and deception.

4. That Lynn Stokes, as manager of this gin company, had led gin customers to believe that they would get patrons' dividends, if they ginned at the company's gins, when he well knew that the gins were in debt to practically the full amount of their equivalent value, and that it would be impossible to pay dividends until the debt had been liquidated. As a matter of fact, since the gins were originally purchased with money secured from old Farm Bureau Cotton Association members whose contracts entitled them to its return, more than twice the equivalent value of the gins would have to be earned at profit before any dividends could be paid. In other words, these thirty-seven (37) gins would have had to earn an aggregate of more than \$2,000,000 or \$60,000 each. Mr. Stokes knew that he not only held out hopes of dividends but in one case he actually took money from some source, I do not know where, and sent it to the customers of a certain gin in disguise of a dividend. This, I think, constitutes deceit and deception, and probably in the last instance, swindling. Certainly, it indicates misfeasance and incompetence beyond any question of doubt.

5. That members' cotton was classed during the season 1930 and '31 at Houston and Corpus Christi by the American Cotton Co-operative Association about \$2.00 a bale below its real value, and not in accordance with the United States government standards, as was guaranteed members under their contracts. This constitutes misfeasance, and unless the charge of gross incompetency be admitted, it also constitutes malfeasance.

6. That, although members were told that they were being advanced only 90% of the value of their cotton during the season 1930-31, and had turned their cotton over to the Association on that assumption, they were actually charged upon the

books of the Association with approximately 96% of the value of the cotton. In other words, if a member was advanced \$45 on a bale of cotton, he thought he had an equity left at that time of \$5.00 when, as a matter of fact, this equity was about \$2.00. This means that Texas members today as a whole are about \$2,000,000 worse off than they think they are. This item constitutes deceit and deception, and since many members would not have placed their cotton in the Association unless they had thought they had the equity of 10% left in it, it probably would also come under the heading of obtaining money under false pretenses.

7. That the Association owed the old Farm Bureau members over a \$1,600,000 in reserve funds which it could not pay except out of the funds obtained from the reserve fund of the new organization. In this item is involved deceit because the new members were assured that at the time of the organization of the Texas Cotton Co-operative Association that they would not be required to pay any obligations of the old Farm Bureau Cotton Association.

8. That the accounting department of the Texas Co-operative Association was utterly inexperienced in cotton accounting, and that for this reason enormous sums of money were lost to the members. In the beginning of the season drafts were paid upon presentation without either invoices or bills of lading attached. Invoices were never used except where branch offices supplied them on their own initiative, and millions of dollars were paid out without the semblance of a check being made against extensions or prices. This item constitutes incompetency of the most flagrant variety and demonstrates unquestionably the inefficiency and unfitness of the management."

On motion of Mr. Satterwhite, the amendment was tabled.

Mr. Walker then moved to table the resolution as amended.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—27.

|          |          |
|----------|----------|
| Alsup.   | Bradley. |
| Bedford. | Brice.   |
| Bond.    | Brooks.  |

Bryant.  
Davis.  
Engelhard.  
Finn.  
Fuchs.  
Giles.  
Goodman.  
Graves.  
Herzik.  
Hill.  
Holland.

Hoskins.  
Keller.  
Kennedy.  
Martin.  
Ratliff.  
Savage.  
Shelton.  
Tarwater.  
Walker.  
Warwick.

## Nays—84.

Adamson.  
Adkins.  
Akin.  
Albritton.  
Anderson.  
Baker.  
Barron.  
Beck.  
Bounds.  
Burns  
of McCulloch.  
Carpenter.  
Caven.  
Coltrin.  
Coombes.  
Cox of Lamar.  
Cox of Limestone.  
Cunningham.  
Daniel.  
Dodd.  
Donnell.  
Dowell.  
Duvall.  
Elliott.  
Farmer.  
Farrar.  
Ferguson.  
Fisher.  
Forbes.  
Ford.  
Greathouse.  
Grogan.  
Hanson.  
Hardy.  
Harman.  
Harrison  
of Waller.  
Hefley.  
Hines.  
Howsley.  
Hughes.  
Johnson  
of Dallam.  
Jones of Shelby.  
Justiss.

Kayton.  
Laird.  
Lasseter.  
Lee.  
Lilley.  
Long.  
McCombs.  
McGill.  
Magee.  
Moffett.  
Moore.  
Morse.  
Munson.  
Murphy.  
Nicholson.  
Olsen.  
O'Quinn.  
Petsch.  
Ray.  
Richardson.  
Rogers.  
Sanders.  
Satterwhite.  
Scott.  
Sherrill.  
Smith of Bastrop.  
Sparkman.  
Stevenson.  
Steward.  
Sullivant.  
Terrell  
of Cherokee.  
Terrell  
of Val Verde.  
Towery.  
Turner.  
Van Zandt.  
Vaughan.  
Wagstaff.  
Weinert.  
West of Coryell.  
Westbrook.  
Wiggs.  
Young.

## Present—Not Voting.

Stephens.

## Absent.

Adams of Harris.  
Adams of Jasper.  
Burns of Walker.

Dale.  
Dunlap.  
Dwyer.

Gilbert.  
Harrison  
of El Paso.  
Holder.  
Holloway.  
Hubbard.  
Jackson.  
Johnson  
of Dimmit.  
Jones of Atascosa.  
Lemens.  
Leonard.  
McDougald.

McGregor.  
Mathis.  
Mehl.  
Metcalf.  
Patterson.  
Pope.  
Ramsey.  
Reader.  
Rountree.  
Smith of Wood.  
Strong.  
West of Cameron.  
Wyatt.

## Absent—Excused.

Boyd.  
Claunch.

Lockhart.

Question next recurring on the resolution as amended, yeas and nays were demanded.

The resolution was adopted by the following vote:

## Yeas—113.

Adamson.  
Adkins.  
Akin.  
Albritton.  
Anderson.  
Baker.  
Barron.  
Beck.  
Bedford.  
Bond.  
Bounds.  
Bradley.  
Brice.  
Bryant.  
Burns of Walker.  
Burns  
of McCulloch.  
Carpenter.  
Caven.  
Coltrin.  
Coombes.  
Cox of Lamar.  
Cox of Limestone.  
Cunningham.  
Daniel.  
Dodd.  
Donnell.  
Dowell.  
Dunlap.  
Duvall.  
Dwyer.  
Elliott.  
Englehard.  
Farmer.  
Farrar.  
Ferguson.  
Finn.  
Fisher.  
Forbes.  
Ford.  
Fuchs.

Giles.  
Goodman.  
Greathouse.  
Grogan.  
Hanson.  
Hardy.  
Harman.  
Harrison  
of Waller.  
Hefley.  
Herzik.  
Hines.  
Holland.  
Hoskins.  
Howsley.  
Jackson.  
Johnson  
of Dallam.  
Johnson  
of Dimmit.  
Jones of Shelby.  
Justiss.  
Kayton.  
Keller.  
Kennedy.  
Laird.  
Lasseter.  
Lee.  
Lemens.  
Leonard.  
Lilley.  
Long.  
McCombs.  
McGill.  
McGregor.  
Magee.  
Martin.  
Metcalf.  
Moffett.  
Moore.  
Morse.



|                   |                  |
|-------------------|------------------|
| Munson.           | Steward.         |
| Murphy.           | Sullivant.       |
| Nicholson.        | Tarwater.        |
| Olsen.            | Terrell          |
| O'Quinn.          | of Cherokee.     |
| Patterson.        | Terrell          |
| Petsch.           | of Val Verde.    |
| Pope.             | Towery.          |
| Ratliff.          | Turner.          |
| Ray.              | Van Zandt.       |
| Sanders.          | Vaughan.         |
| Satterwhite.      | Wagstaff.        |
| Savage.           | Warwick.         |
| Scott.            | Weinert.         |
| Shelton.          | West of Coryell. |
| Sherrill.         | Westbrook.       |
| Smith of Bastrop. | Wiggs.           |
| Sparkman.         | Young.           |
| Stevenson.        |                  |

Nays—5.

|         |             |
|---------|-------------|
| Alsup.  | Richardson. |
| Brooks. | Walker.     |
| Hill.   |             |

Absent.

|                    |                  |
|--------------------|------------------|
| Adams of Harris.   | McDougald.       |
| Adams of Jasper.   | Mathis.          |
| Dale.              | Mehl.            |
| Davis.             | Ramsey.          |
| Gilbert.           | Reader.          |
| Graves.            | Rogers.          |
| Harrison           | Rountree.        |
| of El Paso.        | Smith of Wood.   |
| Holder.            | Stephens.        |
| Holloway.          | Strong.          |
| Hubbard.           | West of Cameron. |
| Hughes.            | Wyatt.           |
| Jones of Atascosa. |                  |

Absent—Excused.

|          |           |
|----------|-----------|
| Boyd.    | Lockhart. |
| Claunch. |           |

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, September 15, 1932.  
Hon. Fred H. Minor, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate  
to inform the House that the Senate  
has passed

H. B. No. 60, A bill to be entitled  
"An Act to repeal Chapter 120, page  
232, of the Special Laws of the Reg-  
ular Session of the Forty-second Leg-  
islature, being a special road law  
for Wood county, and declaring an  
emergency."

H. B. No. 51, A bill to be entitled  
"An Act amending Article 2688 of  
the Revised Civil Statutes of Texas,  
1925, as amended by the Regular Ses-  
sion of the Forty-second Legislature,

House bill No. 904, Chapter 212, page  
426, Special Laws, and declaring an  
emergency," with amendment.

Respectfully,

BOB BARKER,

Secretary of the Senate.

## BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the pres-  
ence of the House, after giving due  
notice thereof and its caption had  
been read, the following enrolled bill:

H. B. No. 56, "An Act to amend  
Articles 1111, 1112 and 1113 of the  
Revised Civil Statutes of Texas for  
1925 and amendments thereof as  
passed by the Fortieth Legislature,  
found in Chapter No. 194, page 276,  
of the Acts of the Regular Session  
of the Fortieth Legislature, pertain-  
ing to the encumbrance of lighting  
systems, water systems and sewer  
systems and income thereof by cities  
and towns and 'Home Rule' cities;  
to secure payment of funds for the  
building and purchasing of improve-  
ment thereof, including therein the  
power to build and encumber natural  
gas systems and the income thereof  
for said purposes so that such obli-  
gations shall never be a debt upon  
such cities or towns, and declaring  
an emergency."

HOUSE BILL NO. 51 WITH SEN-  
ATE AMENDMENTS.

Mr. Johnson of Dimmit called up  
from the Speaker's table, with Sen-  
ate amendments, for consideration of  
the amendments,

H. B. No. 51, A bill to be entitled  
"An Act amending Articles 2688 of  
the Revised Civil Statutes of Texas,  
1925, as amended by the Regular  
Session of the Forty-second Legis-  
lature, House bill No. 904, Chapter  
212, page 426, Special Laws, and de-  
claring an emergency."

The Speaker laid the bill before  
the House, and the Senate amend-  
ments were read.

On motion of Mr. Johnson of Dim-  
mit the House concurred in the Sen-  
ate amendments by the following  
vote:

Yeas—111.

|            |           |
|------------|-----------|
| Adamson.   | Alsup.    |
| Adkins.    | Anderson. |
| Akin.      | Baker.    |
| Albritton. | Barron.   |

|                    |                   |
|--------------------|-------------------|
| Bedford.           | Jones of Shelby.  |
| Bond.              | Justiss.          |
| Bounds.            | Kayton.           |
| Bradley.           | Keller.           |
| Brice.             | Kennedy.          |
| Brooks.            | Laird.            |
| Bryant.            | Lasseter.         |
| Burns of Walker.   | Lee.              |
| Burns              | Lemens.           |
| of McCulloch.      | Leonard.          |
| Carpenter.         | Lilley.           |
| Coltrin.           | Long.             |
| Coombes.           | McCombs.          |
| Cox of Lamar.      | McGill.           |
| Cox of Limestone.  | Magee.            |
| Cunningham.        | Martin.           |
| Daniel.            | Mathis.           |
| Davis.             | Metcalfe.         |
| Dodd.              | Moffett.          |
| Donnell.           | Moore.            |
| Dowell.            | Morse.            |
| Dwyer.             | Munson.           |
| Elliott.           | Murphy.           |
| Engelhard.         | Nicholson.        |
| Farmer.            | Olsen.            |
| Farrar.            | O'Quinn.          |
| Ferguson.          | Patterson.        |
| Finn.              | Petsch.           |
| Fisher.            | Ratliff.          |
| Forbes.            | Ray.              |
| Ford.              | Richardson.       |
| Fuchs.             | Rogers.           |
| Giles.             | Satterwhite.      |
| Goodman.           | Savage.           |
| Graves.            | Scott.            |
| Greathouse.        | Shelton.          |
| Grogan.            | Sherrill.         |
| Hanson.            | Smith of Bastrop. |
| Hardy.             | Stephens.         |
| Harman.            | Stevenson.        |
| Harrison           | Steward.          |
| of El Paso.        | Sullivant.        |
| Harrison           | Tarwater.         |
| of Waller.         | Towery.           |
| Hefley.            | Turner.           |
| Hill.              | Van Zandt.        |
| Hines.             | Vaughan.          |
| Holland.           | Wagstaff.         |
| Hoskins.           | Walker.           |
| Howsley.           | Warwick.          |
| Hughes.            | Weinert.          |
| Johnson            | West of Coryell.  |
| of Dallam.         | Young.            |
| Johnson of Dimmit. |                   |

Present—Not Voting

Terrell of Cherokee. Wiggs.

Absent.

|                  |                    |
|------------------|--------------------|
| Adams of Harris. | Gilbert.           |
| Adams of Jasper. | Herzik.            |
| Beck.            | Holder.            |
| Caven.           | Holloway.          |
| Dale.            | Hubbard.           |
| Dunlap.          | Jackson.           |
| Duvall.          | Jones of Atascosa. |

|            |                  |
|------------|------------------|
| McDougald. | Smith of Wood.   |
| McGregor.  | Sparkman.        |
| Mehl.      | Strong.          |
| Pope.      | Terrell          |
| Ramsey.    | of Val Verde.    |
| Reader.    | West of Cameron. |
| Rountree.  | Westbrook.       |
| Sanders.   | Wyatt.           |

Absent—Excused.

|         |           |
|---------|-----------|
| Boyd.   | Lockhart. |
| Clunch. |           |

# SENATE BILL NO. 44 ON SECOND READING.

Mr. Metcalfe moved that the regular order of business be suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 44, A bill to be entitled "An Act for the purpose of releasing the interest and penalties on all delinquent ad valorem and poll taxes due the State, etc., and declaring an emergency."

The motion prevailed by the following vote:

Yeas—98.

|                   |                  |
|-------------------|------------------|
| Adamson.          | Ford.            |
| Adkins.           | Fuchs.           |
| Akin.             | Giles.           |
| Albritton.        | Hanson.          |
| Alsup.            | Harman.          |
| Anderson.         | Harrison         |
| Baker.            | of El Paso.      |
| Barron.           | Herzik.          |
| Bedford.          | Hill.            |
| Bond.             | Hines.           |
| Bounds.           | Holland.         |
| Bradley.          | Holloway.        |
| Brice.            | Hoskins.         |
| Brooks.           | Hughes.          |
| Bryant.           | Jackson.         |
| Carpenter.        | Johnson          |
| Coltrin.          | of Dallam.       |
| Coombes.          | Jones of Shelby. |
| Cox of Lamar.     | Justiss.         |
| Cox of Limestone. | Kayton.          |
| Davis.            | Keller.          |
| Dodd.             | Kennedy.         |
| Donnell.          | Laird.           |
| Dowell.           | Lee.             |
| Dunlap.           | Lemens.          |
| Dwyer.            | Lilley.          |
| Elliott.          | Long.            |
| Engelhard.        | McGill.          |
| Farmer.           | McGregor.        |
| Farrar.           | Magee.           |
| Ferguson.         | Martin.          |
| Finn.             | Mathis.          |
| Fisher.           | Metcalfe.        |
| Forbes.           | Moore.           |

|                   |                  |
|-------------------|------------------|
| Munson.           | Strong.          |
| Murphy.           | Sullivant.       |
| Olsen.            | Terrell          |
| Patterson.        | of Cherokee.     |
| Petsch.           | Terrell          |
| Ratliff.          | of Val Verde.    |
| Richardson.       | Towery.          |
| Rogers.           | Turner.          |
| Rountree.         | Van Zandt.       |
| Satterwhite.      | Vaughan.         |
| Savage.           | Walker.          |
| Scott.            | Warwick.         |
| Shelton.          | Weinert.         |
| Smith of Bastrop. | West of Coryell. |
| Sparkman.         | Westbrook.       |
| Stephens.         | Wiggs.           |
| Steward.          | Young.           |

## Nays—20.

|               |                  |
|---------------|------------------|
| Beck.         | Lasseter.        |
| Burns         | Leonard.         |
| of McCulloch. | McCombs.         |
| Caven.        | Moffett.         |
| Cunningham.   | Morse.           |
| Daniel.       | O'Quinn.         |
| Greathouse.   | Sanders.         |
| Hardy.        | Sherrill.        |
| Harrison      | Stevenson.       |
| of Waller.    | Wagstaff.        |
| Hefley.       | West of Cameron. |

## Absent.

|                  |                    |
|------------------|--------------------|
| Adams of Harris. | Johnson of Dimmit. |
| Adams of Jasper. | Jones of Atascosa. |
| Burns of Walker. | McDougald.         |
| Dale.            | Mehl.              |
| Duvall.          | Nicholson.         |
| Gilbert.         | Pope.              |
| Goodman.         | Ramsey.            |
| Graves.          | Ray.               |
| Grogan.          | Reader.            |
| Holder.          | Smith of Wood.     |
| Howsley.         | Tarwater.          |
| Hubbard.         | Wyatt.             |

## Absent—Excused.

|          |           |
|----------|-----------|
| Boyd.    | Lockhart. |
| Claunch. |           |

Mr. Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 44 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—112.

|            |           |
|------------|-----------|
| Adamson.   | Anderson. |
| Adkins.    | Baker.    |
| Akin.      | Barron.   |
| Albritton. | Bedford.  |
| Alsup.     | Bond.     |

|                   |                   |
|-------------------|-------------------|
| Bounds.           | Laird.            |
| Brice.            | Lasseter.         |
| Brooks.           | Lee.              |
| Bryant.           | Lemens.           |
| Burns of Walker.  | Leonard.          |
| Burns             | Lilley.           |
| of McCulloch.     | Long.             |
| Carpenter.        | McCombs.          |
| Caven.            | McGill.           |
| Coltrin.          | McGregor.         |
| Coombes.          | Magee.            |
| Cox of Lamar.     | Martin.           |
| Cox of Limestone. | Mathis.           |
| Cunningham.       | Metcalf.          |
| Daniel.           | Moffett.          |
| Davis.            | Moore.            |
| Dodd.             | Munson.           |
| Donnell.          | Murphy.           |
| Dowell.           | Olsen.            |
| Dunlap.           | O'Quinn.          |
| Dwyer.            | Petsch.           |
| Elliott.          | Ratliff.          |
| Englehard.        | Richardson.       |
| Farmer.           | Rogers.           |
| Farrar.           | Rountree.         |
| Ferguson.         | Sanders.          |
| Finn.             | Satterwhite.      |
| Forbes.           | Savage.           |
| Ford.             | Scott.            |
| Fuchs.            | Shelton.          |
| Giles.            | Sherrill.         |
| Grogan.           | Smith of Bastrop. |
| Hanson.           | Sparkman.         |
| Harman.           | Stephens.         |
| Harrison          | Stevenson.        |
| of El Paso.       | Steward.          |
| Harrison          | Strong.           |
| of Waller.        | Sullivant.        |
| Hefley.           | Terrell           |
| Hill.             | of Cherokee.      |
| Hines.            | Terrell           |
| Holland.          | of Val Verde.     |
| Holloway.         | Towery.           |
| Hoskins.          | Turner.           |
| Howsley.          | Van Zandt.        |
| Hughes.           | Vaughan.          |
| Jackson.          | Wagstaff.         |
| Johnson           | Walker.           |
| of Dallam.        | Warwick.          |
| Jones of Shelby.  | Weinert.          |
| Justiss.          | West of Coryell.  |
| Kayton.           | Westbrook.        |
| Keller.           | Wiggs.            |
| Kennedy.          | Young.            |

## Nays—3.

|        |        |
|--------|--------|
| Beck.  | Morse. |
| Hardy. |        |

## Absent.

|                  |             |
|------------------|-------------|
| Adams of Harris. | Gilbert.    |
| Adams of Jasper. | Goodman.    |
| Bradley.         | Graves.     |
| Dale.            | Greathouse. |
| Duvall.          | Herzik.     |
| Fisher.          | Holder.     |

|                    |                  |
|--------------------|------------------|
| Hubbard.           | Pope.            |
| Johnson            | Ramsey.          |
| of Dimmit.         | Ray.             |
| Jones of Atascosa. | Reader.          |
| McDougald.         | Smith of Wood.   |
| Mehl.              | Tarwater.        |
| Nicholson.         | West of Cameron. |
| Patterson.         | Wyatt.           |

Absent—Excused.

|          |           |
|----------|-----------|
| Boyd.    | Lockhart. |
| Claunch. |           |

The Speaker then laid before the House on its second reading and passage to third reading,

S. B. No. 44, A bill to be entitled "An Act for the purpose of releasing the interest and penalties on all delinquent ad valorem and poll taxes due the State, etc., and declaring an emergency."

The bill was read second time.

Mr. Bradley offered the following amendment to the bill:

Amend Senate bill No. 44 by inserting between the words "county" and "special school," Section 1 thereof, the following words: "incorporated city, town and village"; by striking out the following words in said Section 1: "(and, subject to the provisions hereinbefore and hereinafter contained, such interest and penalties on delinquent ad valorem and poll taxes due cities, towns and villages)"; and also by striking out the following words in Section 1: "It is provided that the provisions hereof shall not apply to cities, towns, and villages unless and until the governing body of any such city, town, or village finds that unusual or excessive default in the payment of ad valorem and poll taxes has occurred, and that an extension of time for the payment of such delinquent ad valorem and poll taxes will promote and accelerate the collection thereof, whereupon such governing body shall adopt a resolution, or ordinance, evidencing such finding, and upon the recording of such findings of fact, the provisions of this act shall be in full force and effect as to any such city, town or village."

BRADLEY,  
MATHIS,  
ADAMS of Harris,  
HOLLAND,  
McCOMBS,  
ANDERSON,  
DUVALL,  
FARMER.

#### SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 45, to the Committee on State Affairs.

Senate bill No. 46, to the Committee on State Affairs.

Senate bill No. 47, to the Committee on State Affairs.

#### ADJOURNMENT.

Mr. Hardy moved that the House adjourn until 9:30 o'clock a. m., Friday, September 16.

Mr. Moffett moved that the House recess to 9:30 o'clock a. m. tomorrow.

Mr. Long moved that the House recess to 8 o'clock p. m. today.

The motion of Mr. Hardy prevailed, and the House, accordingly, at 5:55 o'clock p. m., adjourned until 9:30 o'clock a. m., Friday, September 16.

#### APPENDIX.

#### STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills, as follows:

Game and Fisheries: House bill No. 80.

Judicial Districts: Senate bill No. 39.

Criminal Jurisprudence: House bill No. 99.

Revenue and Taxation: Senate bill No. 44.

#### REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, September 15, 1932.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 43, "An Act to repeal Section 17, Chapter 74, of the Local and Special Laws of the Thirty-ninth Legislature, known as an act to establish a system of public roads and

bridges for Denton county, and commonly referred to as the Denton county road law,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,  
Austin, Texas, September 15, 1932.  
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 59, "An Act making it unlawful to take or to kill wild doves or quail for a period of three (3) years, in Hall county, Texas; fixing penalty, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Rooms,  
Austin, Texas, September 15, 1932.  
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 87, "An Act making an appropriation of the sum of fifty thousand dollars (\$50,000), or so much thereof as may be necessary, out of the general revenues, to pay the per diem and mileage of members, the per diem of officers and employes and the contingent expenses of the Third Called Session of the Forty-second Legislature of the State of Texas, convened on the thirtieth day of August, 1932, by proclamation of the Governor; to supplement the like appropriation of the Regular Session, First and Second Called Sessions of said Legislature; to pay any unpaid vouchers or warrants held by members, officers or employes of the Regular Session, First and Second Called Sessions of said Legislature; to pay any unpaid claims and ac-

counts of members, officers or employes of said Sessions or of other persons, authorized either by the Senate or the House of Representatives; to pay any and all sums for whatever purposes authorized to be expended by concurrent resolution of the Forty-second Legislature at its Regular Session, First and Second Called Sessions; to pay the per diem of members, officers or employes for pre-session and post-session work of the Third Called Session of said Forty-second Legislature; providing how accounts may be approved and audited, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,  
Austin, Texas, September 15, 1932.  
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 56, "An Act to amend Articles 1111, 1112, 1113 of the Revised Civil Statutes of Texas for 1925 and amendments thereof as passed by the Fortieth Legislature, found in Chapter No. 194, page 276, of the Acts of the Regular Session of the Fortieth Legislature, pertaining to the encumbrance of lighting systems, water systems and sewer systems and income thereof by cities and towns and 'Home Rule' cities; to secure payment of funds for the building and purchasing of improvement thereof, including therein the power to build and encumber sanitary disposal equipment and appliances and natural gas systems and the income thereof for said purposes so that such obligations shall never be a debt upon such cities or towns, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

**In Memory**  
**of**  
**Hon. William T. Bagby**

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Mr. Olsen offered the following resolution:

Whereas, On April 23, 1930, Honorable William T. Bagby of Hallettsville, Texas, a member of the Thirty-second, Thirty-third, Thirty-fourth and Thirty-fifth Legislatures of this State passed to his eternal reward; and

Whereas, The papers covering in part a record of the public services of deceased which were handed to the writer by his family were lost for a time and for that reason no memorial tribute has been offered to the House until this hour. William Bagby by reason of his great forensic power and fearlessness in debate was known as the "Lion of Lavaca." It was a title given him by his friends for an additional reason that he was cool, calm, and fearless in the discussions of every issue which concerned the affairs of the people. He was the son of an illustrious sire. His grandfather, Arthur Pendleton Bagby, was once Governor of Alabama and later a United States Senator from that State, serving at another date as Minister Plenipotentiary and Ambassador Extraordinary to Russia and later codifier of the laws of Alabama. His father, Arthur Pendleton Bagby, Jr., was a graduate of West Point and Brigadier General in the Confederate Army. Of all the men serving in the Texas Legislature during the last generation, none of them were more brilliant and accomplished than William T. Bagby. He was the friend and counsellor of the poor and underprivileged in every walk of life and always espoused their cause for their welfare. He was a fundamental Democrat of the old school, and regardless of new ideas believed that the philosophy of Jefferson and Jackson should be followed religiously in the conduct of the affairs of the government. He had a supreme hatred for shams and follies, which have crept into the government in these later years, and in many instances was bitter in his denunciation of them. In debate he asked no quarters and gave none, but was always respectful of those who differed from him honestly. It is a recorded fact in the House that practically every measure he supported during his service in the Legislature meant success and practically every measure he opposed meant defeat. William Bagby will long be remembered as an outstanding lawyer, citizen, and statesman and no encomium which this belated tribute may lay at his feet can exaggerate the affection which the people of his district and those who knew him had for him. He was a man of outstanding character and ability in the legal profession, and his efforts for public good will go on from generation to generation; therefore, be it

Resolved by the House of Representatives of the State of Texas, That in the passing of William Bagby one of its most forceful, kindly, and brilliant members has passed to his great reward and this House bears testimony of sorrow with his family and friends; that a copy of this resolution be printed in the Journal of the House and that one be sent to each member of his family.

The resolution was read second time and was adopted by a rising vote.

**In Memory**  
**of**  
**Hon. S. R. Crawford**

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Mr. Fisher offered the following resolution:

Inasmuch as S. R. Crawford who lived in Young county, Texas, for some fifty years, and was a noted and useful citizen of that county, was called from his earthly career September 12, 1932; and

Whereas, he was for years a ranchman and cattle raiser and very successful in business, retired from the cattle business and was elected to the Thirtieth Legislature in 1906, in which he served with distinction and ability.

It was a very noted matter that S. R. Crawford was a great friend to the poor where he lived, and to the institutions and churches. Later when the Beckham National Bank was re-organized from a partial crash, Mr. Crawford came to the rescue and became president of that bank, a position which he held for many years. During the terrible drought Mr. Crawford loaned much money to the poor people that never could be collected. The last ten years he had been declining in health. Therefore, be it

Resolved, That the Legislature of the State of Texas deplores his going, and points to his useful life and his charitable work with pleasure, which places him in the front rank as a man of great distinction, whom all men admire; and be it further

Resolved, That this resolution be printed in the Journal, and that a copy be sent to his family.

**FISHER,**  
**TERRELL of Cherokee.**

Signed—Minor, Speaker; Adams of Harris, Adams of Jasper, Adamson, Adkins, Akin, Albritton, Alsup, Anderson, Baker, Barron, Beck, Bedford, Bond, Bounds, Boyd, Bradley, Brice, Brooks, Bryant, Burns of Walker, Burns of McCulloch, Carpenter, Caven, Claunch, Coltrin, Coombes, Cox of Lamar, Cox of Limestone, Cunningham, Dale, Daniel, Davis, Dodd, Donnell, Dowell, Dunlap, Duvall, Dwyer, Elliott, Englehard, Farmer, Farrar, Ferguson, Finn, Forbes, Ford, Fuchs, Gilbert, Giles, Goodman, Graves, Great-house, Grogan, Hanson, Hardy, Harman, Harrison of El Paso, Harrison of Waller, Hefley, Herzik, Hill, Hines, Holder, Holland, Howsley, Hubbard, Hughes, Jackson, Johnson of Dallam, Johnson, of Dimmit, Jones of Shelby, Jones of Atascosa, Justiss, Kayton, Keller, Kennedy, Laird, Lasseter, Lee, Lemens, Leonard, Lilley, Lockhart, Long, McCombs, McDougald, McGill, McGregor, Magee, Martin, Mathis, Mehl, Metcalfe, Moffett, Moore, Morse, Munson, Murphy, Nicholson, Olsen, O'Quinn, Patterson, Petsch, Pope, Ramsey, Ratliff, Ray, Reader, Richardson, Rogers, Rountree, Sanders, Satterwhite, Savage, Scott, Shelton, Sherrill, Smith of Bastrop, Smith of Wood, Sparkman, Stephens, Stevenson, Steward, Strong, Sullivant, Terrell of Val Verde, Towery, Turner, Van Zandt, Vaughan, Wagstaff, Walker, Warwick, Weinert, West of Coryell, West of Cameron, Westbrook, Wiggs, Wyatt, Young.

The resolution was read second time.

On motion of Mr. Adamson, the names of all the members of the House were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote.